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Attorneys of Record for Defendant

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Ralph Herrera,

07 CV 8426 (JSR)

Plaintiff,

v.

Katz Communications, Inc.,

Defendant.

**NOTICE OF MOTION TO
DISMISS PLAINTIFF'S
COMPLAINT AND TO
COMPEL ARBITRATION**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, with attached exhibits, the undersigned moves this Court before the Honorable Jed S. Rakoff at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, for an Order pursuant to Rules 12(b)(1) and/or (b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff's Complaint, in its entirety, with prejudice, compelling Plaintiff to arbitrate his claims against Defendant, awarding Defendant reasonable attorneys' fees and costs incurred in making this Motion, and for such other and further relief as the Court may deem just and proper.

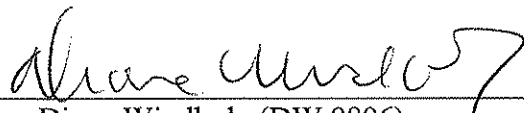
The Court has approved the following schedule for service and filing of the parties' papers and for oral argument in connection with this motion:

Plaintiff's Answering Papers:	December 7, 2007
Defendant's Reply Papers:	December 14, 2007
Oral Argument:	December 21, 2007 at 11:00 a.m.

Respectfully submitted,

JACKSON LEWIS LLP
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Dated: November 19, 2007
New York, New York

By: 
Diane Windholz (DW 9806)
ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of November, 2007 I caused to be served true and correct copies of: (1) Notice of Motion to Dismiss the Complaint and to Compel Arbitration, and (2) Defendant's Memorandum of Law In Support of Its Motion to Dismiss the Complaint and to Compel Arbitration, via hand-delivery on Plaintiff's counsel of record at the following address:

David Gottlieb, Esq.
Mark L. Lubelsky and Associates
123 West 18th Street, 18th Floor
New York, New York 10011



Liane Chinwaka, Esq.